

Hamilton County Plan Commission

May 11, 2004

Mr. Habig called the official meeting of the Hamilton County Plan Commission to order at 7:41 p.m.

Members Present: Jim Galloway, Frank Habig, Ron Hall, David Musselman, Bill Rice, Steve Schwartz, Kent Ward, and Linda Williams. Absent: Steve Holt. Also present: Charles Kiphart, Director; Randy Leerkamp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. Habig declared a quorum with eight out of nine members present.

Guests: See sign-in sheet.

Communications/Reports: Mr. Kiphart stated everything had been passed out.

Mr. Habig asked if everyone had received the minutes for last month's meeting and asked if there were any corrections.

Mr. Ward **made a motion** to approve the minutes for last month's meeting.

Mr. Galloway seconded.

With no corrections or changes... Mr. Habig called for the vote. **7 yes votes... 0 no votes... 1 abstention.** Mrs. Williams was not at the meeting.

Public Comment: Mr. Habig opened the floor to anyone wishing to address the board. And with no one stepping forward... Mr. Habig continued the meeting.

Correspondence: Mr. Kiphart stated he had none.

President's Report: Mr. Habig asked if there was a date for the next public meeting on the comprehensive plan.

Mr. Kiphart stated that it should be in three to four weeks. Mr. Settles, the GIS person in our office, did do a cross-section for each township and we've got names of property owners like the southeast corner of every intersection of every road which we will send specific notices to. I did get a name from PSI to call about seeing if we could put notices in the electric bills. We didn't get very many photographs. Mr. Settles is putting them together to e-mail up to the consultants.

New Business: Mr. Habig continued with **P.C.-ReZone-0003-05-2004** a re-zone request with a recommendation to the county commissioners. Associated with the re-zone request is a suspension of the rules request for less than the 20 days public notice requirement.

Mr. Hall **moved to suspend** the rules.

Mr. Galloway seconded.

With no questions or comments from the board... Mr. Habig called for the vote. **8 yes votes... 0 no votes.**

Bruce Bittner, of Church, Church, Hittle, and Antrim here in Noblesville, stated his name and business affiliation for the record. I am representing the property owners. There is an 80 acre parent tract at the intersection of Dunbar Road and 236th Street. We are trying to re-zone five (5) acres for commercial offices with a residential character. This would serve as a buffer between the commercial corridor along U.S. 31 and the more residential areas to the west. The access road for U.S. 31 will abut the eastern border of our 80 acre parent tract. I understand that the process tonight is in looking at the nature of the use. We would certainly have a more detailed site plan and an improvement plan review in a technical manner before any building permits are issued. My intent was to focus more on the use than to focus on our yet-to-be developed drawings and plans for the building, the site plan, and the specifics as to drainage and so on. We sent out a cover letter with the legal notice and had phone calls from two or three ladies. Their biggest issue was with an existing drainage problem they have in that area right now. There is a bad blockage somewhere along the line that creates a miniature lake there at certain times of the year and probably covers the road. We have already talked to the Natural Resources and Conservation services through the Hamilton County Soil and Water Department. There is a mechanism in place where private property owners can work through a plan with some federal funding that provides for drainage improvements. We certainly don't intend to make any problems out there worse. Along the Dunbar Road side of the property we intend to have a very solid wind break not just a visual landscaping break.

Mr. Habig asked what Hoosier Tradewinds was.

Mr. Bittner stated that Hoosier Tradewinds arranges transportation. They provide long haul trucking. They own trailers; they contract out with owners/operators. This site would be strictly administrative. There will be no facility on-site for trailer storage or maintenance. This is more a technical computer driven industry.

An unidentified male stated that they arrange transportation and truck dry freight throughout the country. Most of our customers are here in Indiana. We do not have any type of truck stop operation. Our current office is in Merchant's Plaza in Carmel. That is the type of office we intend to maintain. **Andy Cook stated his name for the record.**

Mr. Hall commended the petitioners in looking at a natural resources plan for this site. Is this being offered as a condition of the re-zone or is this a short or long term plan. (2) What is your time table?

Mr. Bittner stated that the conservation plan is not a condition of the re-zone.

(2) Mr. Cook stated that the plans for the conservation items are in the office of the natural resources commission right now. They are doing the design and the engineering. This will be done over a period of time dictated by the NRCS because of planting schedules. We can only plant grasses and trees in certain

months.

Mr. Rice asked about the number of employees on a daily basis.

Mr. Cook stated that they currently have 15 employees. My son started this company in his bedroom in 1997. We manage about 70 trucks now.

With nothing further from the board... Mr. Habig opened the hearing to the public at 8:03 p.m. for comment in favor of or against this petition.

Brian Will, of 26315 Lamong Road, Sheridan, stated his name and address for the record. I'm an employee of Hoosier Tradewinds. I am a property owner and I'm in favor of this project.

With no one else from the public stepping forward... Mr. Habig closed the public portion of the hearing at 8:04 p.m.

Mr. Hall **moved to recommend** the petition on to the County Commissions with a favorable recommendation.

Mr. Schwartz seconded.

Mr. Hall stated that the re-zone makes an excellent buffer between the more commercial U.S. 31 project and the more residential Baker's Corner area. I am pleased that they went for the O-1 office use rather than the higher use of other office designations. They are looking at a whole property solution and a solution to an outstanding problem. And I think it fits to what we are looking to have happen there.

Mr. Habig commended the petitioners for having gone around the neighborhood and approaching people to talk to them way before hand.

Mr. Kiphart stated that this would be considered a commercial building by the state and they will need state and local health department approvals.

Mr. Rice stated that that area was not conducive to septic systems. They're very poorly drained.

With no further comments from the board... Mr. Habig called for the vote. **8 yes votes... 0 no votes.** Mr. Habig continued with Land Use Variance **NBZA-L.U.V.-0007-05-2004**. We're passing on a recommendation to the North BZA for the establishment of a horse tack retail business.

Debbie Deverick, of 170 Peach Lane, Noblesville, stated her name and address for the record. I am requesting a zoning variance so I can convert a residence on Mrs. Lively's horse farm to a retail tack store. The property has been a horse farm for a number of years. Hamilton County ranks 9th in the state for horse ownership yet we do not have a full service tack store. The store will be open both on Saturday and Sunday. Store hours on the weekends will be 10:00 a.m. to 6:00 p.m. except on the Saturdays when the

Strawtown Action facility has there horse sales. Then we will close at 4:00 p.m. Week days we will be open Tuesdays through Friday from 11:00 a.m. to 7:00 p.m. The farmhouse will require only minor changes inside. We will make the bathroom handicap accessible. The main floor of the house will be the only portion of the house to be used for the store. Outside the house we will upgrade with a handicap parking area and a ramp to the store entrance to meet ADA code requirements. We will also add additional parking spaces to the back of the store. The outside landscaping we will upgrade and a sign will be added on the street. All changes we make will be done so that at some future date we can return the house to a residence.

Mr. Habig asked if there was just one drive for the facility.

Ms. Deverick answered there was one entrance into the property. Yes. There is a house and additional horse barns. There are no other residences on that property.

After minimal comments... Mr. Hall **moved to pass** this on to the North BZA with a favorable recommendation.

Mr. Galloway seconded.

Mr. Hall stated that he felt this supplements the agricultural area around there. It is on an existing horse facility. They're not talking about building a new facility. They're talking about the re-use of an existing facility. I think it fits very well with the area.

Mr. Galloway, Mr. Schwartz, and Mr. Musselman all agreed with Mr. Hall's comments.

With nothing further... Mr. Habig called for the vote. **8 yes votes... 0 no votes.**

Old Business: Nothing to present.

Director's Report: Mr. Kiphart stated that he had a nice time at the Annual Planning Conference in Washington, D.C. The new thing is "form based zoning." It had to do with performance standard zoning and the P.U.D.s. They take landscaping, parking, drainage, roads and put them within each zoning district so it's tailored to each zoning district. One of the most comprehensive ones done, I believe, in Carson City, Kansas, was 800 pages long. There was a good session on signage. They bring in some of the best people in the country. In Virginia the county is given the highest preference for zoning and annexation. It is literally impossible to expand an existing corporate limit. So all the development you read about in Virginia is all county not cities and towns. You have to petition the state to change your city and town lines and apparently it simply doesn't happen.

Mr. Rice stated he thought Maryland and Pennsylvania were the same too.

Mr. Galloway asked what was involved for the city to annex here.

Mr. Kiphart stated that they just do it. If it's all consensual, it is a very simple process. If there's opposition to it, then you have to do an infra-structure facilities plan and you have to let people know when they'll get sewer and water and police and things like that. In Indiana, cities have priority.

Mr. Rice stated that on the first Thursday in June there is going to be another video conference on Stormwater Phase II.

Mr. Kiphart stated that there is no word on our plan commission office move. I did do a positive/negative chart on all the sites that have been brought up and gave it to Mr. Holt.

I met with Mike Howard last Friday and went over the concerns that the commissioners had on the P.U.D.

Legal Counsel Report: Nothing to present.

The next plan commission meeting will be June 08, 2004.

With nothing further on the agenda... Mr. Habig adjourned the meeting at 8:34 p.m.

Frank Habig III, President

Date

Linda Burdett, Secretary

Date